

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JESSIE MENDENHALL,)
vs.)
Plaintiff,)
UNION CITY COMMUNITY)
CORRECTIONS CENTER,)
Defendant.)

vs.) NO. CIV-24-0336-HE

ORDER

Plaintiff Jessie Mendenhall brought this action alleging violations of his constitutional rights. Pursuant to 28 U.S.C. § 636(b)(1)(B),(C), the matter was referred to Magistrate Judge Shon T. Erwin for initial proceedings. On April 8, 2024, Judge Erwin issued a Report and Recommendation recommending the denial of plaintiff's applications to proceed in forma pauperis and the dismissal without prejudice of this action unless plaintiff pays the full \$405 filing fee within twenty days from the date of any order adopting the Report and Recommendation. Plaintiff was advised of his right to object to the Report and Recommendation by April 25, 2024. No objection has been filed. Plaintiff has therefore waived his right to appellate review of the factual and legal issues addressed in the report. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #7], **DENIES** plaintiff's applications for leave to proceed in forma pauperis [Doc. # 6 and 8], and **ORDERS** plaintiff to pay the full \$405 filing fee within twenty (20) days of the date

of this Order. Plaintiff is advised that if he does not pay the full \$405 filing fee within **twenty (20) days** of the date of this Order, this action will be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 16th day of May, 2024.


JOE HEATON
UNITED STATES DISTRICT JUDGE